

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

XIUFANG SITU, et al.,
Plaintiffs,

v.

MICHAEL O. LEAVITT,
Defendant.

NO. C06-2841 TEH

ORDER EXTENDING DEADLINES
FOR SUPPLEMENTAL BRIEFS

On August 17, 2006, the Court ordered the parties to file supplemental briefs addressing Defendant's standing arguments on or before August 28, 2006, for Plaintiffs and September 6, 2006, for Defendant. The Court is in receipt of the parties' stipulation for a short extension of time, and the Court finds no reason to deny the stipulation. Accordingly, IT IS HEREBY ORDERED that Plaintiffs shall file their supplemental brief opposing Defendant's motion to dismiss on or before **August 31, 2006**, and Defendant shall file his supplemental reply on or before **September 11, 2006**.

In addition, it appears from the parties' stipulation that Plaintiffs do not intend to request jurisdictional discovery, nor do they intend to wait to receive the discovery currently at issue in Defendant's motion to stay before moving forward with their opposition to the motion to dismiss or with their own motion for class certification. Thus, it appears that Plaintiffs do not believe that the pending discovery is necessary to resolve either Defendant's motion to dismiss or Plaintiffs' motion for class certification. If this is truly Plaintiffs' position, then there appears to be no reason for this Court to deny Defendant's request for a

1 short stay on discovery. Plaintiffs shall be prepared to address this issue at the August 28,
2 2006 hearing on Defendant's motion for a stay on discovery.

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4 **IT IS SO ORDERED.**

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6 Dated: 08/25/06



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT